

REMARKS

Status of Claims

As compared to the issued patent, Claim 1 has been amended, and new Claims 2–17 have been added. Claims 1–17 remain pending in the application. Applicant requests reconsideration of the reissue application as amended.

Status of Prosecution

The claims have all been indicated as being allowable, but the application stands rejected under 37 CFR 1.173.

According to Applicant's attorney's understanding of the Advisory Action dated October 19, Applicant's serial amendments of July 3, 2001; August 26, 2002; January 21, 2003; May 19, 2003; and July 25, 2003 do not place the Application in condition for allowance because all of the amendments to the claims and all of the new claims must be shown in one response, rather than spread across multiple responses. In addition, support for the claims in the specification must be stated in the response, even though stated in earlier responses. Also, amendments to the specification, including bracketing and underlining, must be repeated despite having been entered in an earlier amendment.

Explanation of the Support in the Disclosure For the New Claims and for the Changes Made to the Existing Claim

Claim 1 has been amended to recite that the four guide walls converge *forwardly*, rather than rearward, into an opening of the housing. Support for this amendment is found in the drawings as originally filed and is made in accordance with the Examiner's direction.

Claim 1 has been amended to recite that the housing is hemispherical in shape, rather than spherical. Support for this limitation is found in the drawings of the patent. Claim 1 has also been amended to change “guide walls or flanges” to guide walls. While applicant intends the terms “guide walls” and “flanges” to be synonymous, this amendment eliminates the possibility that the language might be construed as reciting alternative structures and thus render the claim indefinite.

In Claim 1, an occurrence of “which” has been changed to the grammatically correct “that.” Also, the phrase “housing shaped like a portion of a sphere” has been changed to “housing in the shape of a portion of a sphere.” Support for these amendments is found in FIGS. 1, 5, and 6 of the drawings.

New independent Claim 2 recites an improved trailer hitching apparatus which does not include many non-essential limitations of Claim 1 of the patent. Specifically, new Claim 2 does not include the following features of Claim 1:

- Claim 2 does not limit the structure to which the locking pin is mounted to a “housing,” which suggests an enclosure;
- Claim 2 does not recite guide walls or flanges;
- Claim 2 does not limit the housing to a spherical shape;
- Claim 2 does not limit the opening to a circular shape;
- Claim 2 does not recite structure having an inner surface having a curvature matching that of the outer surface of the outer ring; and

- Claim 2 does not limit the means by which the locking pin engages the apparatus to circular holes.

Rather than reciting a "housing," Claim 2 recites "first and second walls in opposed, spaced apart relation," which provides the function of the housing (providing a structure to which a locking pin can be mounted to extend through the central opening in the inner ring, and limiting movement of the inner ring along the locking pin) without requiring an enclosure. New Claim 3, dependent from Claim 2, recites that the device comprises a housing, and that the first and second walls comprise opposed walls of the housing. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

Once the coupler device (the inner and outer ring assembly) is coupled to the housing, the coupler device does not touch the housing so that the housing does not interfere with the free movement of the coupler device. Consequently the only function of the housing walls occurs before the coupler device is hitched, that is, they facilitate hitching the towed vehicle to the towing vehicle. Toward that end, the housing walls guide align the coupler device such that the opening in the inner ring of the coupler device is aligned with the path of the locking pin. New Claim 4 thus recites the configuration of the housing as one which will guide the coupler device into a position such that the opening of the inner ring is aligned with an axis defined by the locking pin. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

New Claim 5 recites that the inner housing walls are curved. This claim does not require the housing walls to be spherical. Claim 6 is dependent from Claim 5 and recites that the outer ring has an outer periphery with the same general curvature as the housing walls. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

Claims 7 and 8 recite features found in Claim 1 of the patent. Namely, Claim 7 recites that the housing is hemispherical, and the opening of the housing is circular. Claim 8 recites the configuration of the outer convex surface of the outer ring as having substantially the same curvature as the inner housing walls. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

Claim 9 is dependent from Claim 3 and adds the additional limitation that the locking pin engages the housing by extending through a hole in one housing wall and engaging an engagement means in an opposite housing wall. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

New Claim 10 is dependent from Claim 3 and adds the limitation of the guide walls converging rearward about the opening of the housing. Support for these limitations is found in the specification and drawings of the patent, and no new matter is being added.

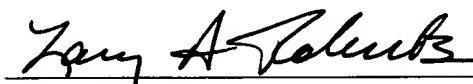
Claim 11 is similar to Claim 2 but does not recite the rectangular hitch socket or the shaft for engaging the shift socket. Instead, Claim 2 recites the housing as "having a horizontal cross-section substantially in the shape of a partial circle." Claims 12-17 dependent from Claim 11 correspond generally to some of dependent Claims 3-10.

Timeliness of Response

The previous response having been mailed within two months of the Final Office Action, the period for filing the present response expired on the date of the Advisory Action, October 16, 2003. A request for a one-month extension of time for filing a response, together with the fee required by 37 C.F.R. 1.17(a)(1), is enclosed. The time for filing a response is thereby extended to November 16, 2003, and the foregoing response is therefore timely filed.

The claims having been previously indicated as being allowable, the foregoing is believed to be fully responsive to the Advisory Action dated October 16, 2003. For the reasons set forth above, the present application is believed to be in condition for allowance. Reconsideration of the application is requested, and allowance of the claims at an early date is courteously solicited.

Respectfully submitted:



Larry A. Roberts
Reg. No. 31,871

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
Tel. (404) 745-2409
Fax (404) 541-3368

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